

1. (Currently Amended) A method ~~executable by at least one server in communication with a user computer for selecting data streams for broadcast over a computer network to the user computer in the form of a personalized internet radio station, the steps comprising:~~ accessing a database of data streams by ~~said~~ at least one server;
selecting at least one data stream for broadcast over a computer network to an individual user computer as a personalized internet radio station, said at least one data stream being selected from said database according to a selection method performed by said at least one server to create a playlist of data streams, said selection method performed by said at least one server being influenced by input received from ~~the~~ said individual user that comprises individual user preferences for data streams to be broadcast but not controlled by ~~the~~ said individual user's input so as to prevent on-demand broadcast of data streams to ~~the~~ said individual user;
transmitting said at least one selected data streams to ~~the~~ said individual user computer from said at least one server via said network;
receiving feedback via said network at said at least one server, said feedback expressing an individual user preference of ~~the~~ said individual user regarding said transmitted at least one data stream; and
updating said selection method using said individual user preference of ~~the~~ said individual user, [[:]]
said updated selection method performed by said at least one server biases selection of data streams to be experienced at ~~the~~ said individual user computer in accordance with said individual user preferences and limits ~~the~~ said individual user's control over selection of particular data streams from said database to prevent on-demand broadcast of data streams.
2. (Currently Amended) The ~~server-executable~~ method of Claim 1, further comprising:
performing said selection method by said at least one server to select a plurality of data streams from said database to generate a playlist of data streams to be transmitted to ~~the~~ said individual user computer;

transmitting by said at least one server one data stream from ~~of~~ said playlist of data streams to ~~the~~ said individual user computer via said network; and performing said step of updating by said at least one server to update said playlist of data streams using said individual user preferences ~~of the user~~.

3. (Currently Amended) The ~~server-executable~~ method of Claim 1, the steps further comprising:
receiving by said at least one server via said network feedback expressing preferences from sources other than ~~the~~ said individual user.
4. (Currently Amended) The ~~server-executable~~ method of Claim 3, wherein the step of receiving preferences from sources other than ~~the~~ said individual user further comprises:
receiving by said at least one server via said network feedback expressing preferences from the group consisting of other users, commercial radio stations, and lists of popular songs.
5. (Currently Amended) The ~~server-executable~~ method of Claim 1, further comprising:
informing ~~the~~ said individual user generally regarding said database and said data streams;
querying ~~the~~ said individual user as to initial individual user data stream preferences and then performing said step of selecting at least one data stream from said database to generate an initial transmission list of data streams, said initial transmission list being selected using general said initial individual user preferences of the user and said selection method.
6. (Currently Amended) The ~~server-executable~~ method of Claim 1, wherein said data streams are selected from the group consisting of songs and videos.
7. (Currently Amended) The ~~server-executable~~ method of Claim 2, wherein said transmitted data stream is removed from said transmission list.

8. (Currently Amended) The ~~server-executable~~ method of Claim 7, wherein said data stream removed from said transmission list is listed on a transmitted data stream list.
9. (Currently Amended) The ~~server-executable~~ method of Claim 1, wherein said step of transmitting one of said data streams further comprises transmitting said one of said data streams selected by said selection method, said selection method taking into account sound recording performance restrictions in data stream selection.
10. (Cancelled)
11. (Currently Amended) A system ~~for selecting data streams for broadcast over a computer network to a user computer~~, comprising:
at least one server connected to a computer network, said computer network connected to an individual ~~the~~ user computer;
a database of media content data streams, said database available to said computer network;
a data stream controller coupled to said at least one server, said data stream controller transmitting media content data streams to said individual user computer according to a selection program performed by ~~the~~ said at least one server to select data streams for broadcast over said computer network to said individual user computer;
said selection program used in selecting media content data streams for transmission to ~~the~~ said individual user computer via said data stream controller, said selection program receiving feedback via said computer network indicating a preference corresponding to at least one of the media content data streams from ~~the~~ said individual user, said selection program performed by said at least one server being influenced but not controlled by said individual user preferences, said selection program using said individual user preferences to bias selection of data streams to be experienced at ~~the~~ said individual user computer and limiting ~~the~~ said individual user's control over selection of data streams from said database to prevent on-demand selection of a particular data stream by said individual user.

12. (Previously Presented) The system of Claim 11, wherein said computer network comprises the Internet.
13. (Previously Presented) The system of Claim 11, wherein said database is a song database and the data streams are songs.
14. (Previously Presented) The system of Claim 11, wherein said database is a music video database and the data streams are music videos.
15. (Currently Amended) The system of Claim 11, wherein said media content data streams are to be experienced via user interface ~~comprises~~ an electronic media player.
16. (Cancelled)
17. (Currently Amended) The system of Claim 11, wherein said selection program creates a playlist of data streams for transmission to ~~the~~ said individual user.
18. (Currently Amended) The system of Claim 17, wherein said selection program modifies said playlist of data streams for transmission to ~~the~~ said individual user according to said individual user preferences.
19. (Previously Presented) The system of Claim 11, further comprising:
said data stream controller transmitting said data streams selected by said selection program, said selection program taking into account sound recording performance restrictions.
20. (Cancelled)
21. (Currently Amended) An apparatus ~~for use in an Internet data stream transmission system;~~ comprising:

at least one server configured to provide:

a rating tool, said rating tool receiving individual user preferences indications regarding one or more a data streams played at an individual user computer by a media player, said individual user preferences comprising said individual user's ratings associated with indications indicating a rating for said one or more data streams; and

a playlist generator, said playlist generator generating playlists identifying data streams to be experienced by an individual user using said media player, said playlist generator selecting data streams for inclusion on said playlist according to said individual user preferences feedback received from said individual user, ~~said feedback including said rating~~, said playlist generator biasing selection in accordance with said individual user preference ~~received feedback~~ and limiting the said individual user's control over data stream selection to prevent on-demand selection of a data stream by said individual user.

22. (Cancelled)

23. (Previously Presented) An apparatus of Claim 21, further comprising:
said playlist generator further selecting data streams in accordance with sound recording performance restrictions.

24. (Currently Amended) A method ~~executable by at least one server in communication with a user computer for selecting data streams for broadcast over a computer network to the user computer in the form of a personalized internet radio station, the steps~~ comprising:
accessing a database of data streams by ~~said~~ at least one server;
selecting at least one data stream for broadcast over a computer network to an individual user computer as a personalized internet radio station, said at least one data stream being selected from said database according to a selection method performed by ~~said~~ at least one server to create a playlist of data streams, said selection method

- performed by said at least one server being influenced by input received from ~~the~~ said individual user that comprises individual user preferences for data streams to be broadcast but not controlled by ~~the~~ said individual user's input so as to prevent on-demand broadcast of data streams to ~~the~~ said individual user;
- transmitting said at least one selected data streams to ~~the~~ said individual user computer from said at least one server via said network;
- receiving feedback via said network at said at least one server, said feedback expressing an individual user preference of ~~the~~ said individual user regarding said transmitted at least one data stream; and
- updating said selection method using said individual user preference of ~~the~~ said individual user, said updated selection method performed by said at least one server biases selection of data streams to be experienced at ~~the~~ said individual user computer in accordance with said individual user preferences, taking into account user input identifying those data streams that are to be excluded from being selected for transmission to ~~the~~ said individual user computer, and limits ~~the~~ said individual user's control over selection of particular data streams from said database to prevent on-demand broadcast of data streams.
25. (Currently Amended) The ~~server-executable~~ method of Claim 24, further comprising:
- performing said selection method by said at least one server to select a plurality of data streams from said database to generate a playlist of data streams to be transmitted to ~~the~~ said individual user computer;
- transmitting by said at least one server one data steam from said playlist of data streams to ~~the~~ said individual user computer via said network; and
- performing said step of updating by said at least one server to update said playlist of data streams using said individual user preferences ~~to the user~~.
26. (Currently Amended) The ~~server-executable~~ method of Claim 24, the steps further comprising:

- receiving by said at least one server via said network feedback expressing preferences from sources other than ~~the~~ the said individual user.
27. (Currently Amended) The ~~server-executable~~ method of Claim 26, wherein the step of receiving preferences from sources other than ~~the~~ the said individual user further comprises: receiving by said at least one server via said network feedback expressing preferences from the group consisting of other users, commercial radio stations, and lists of popular songs.
28. (Currently Amended) The ~~server-executable~~ method of Claim 24, further comprising: informing ~~the~~ the said individual user generally regarding said database and said data streams;
querying ~~the~~ the said individual user as to initial individual user data stream preferences and then performing said step of selecting at least one data stream from said database to generate an initial transmission list of data streams,[[.]] said initial transmission list being selected using general said initial individual user preferences of the user and said selection method.
29. (Currently Amended) The ~~server-executable~~ method of Claim 24, wherein said data streams are selected from the group consisting of songs and videos.
30. (Currently Amended) The ~~server-executable~~ method of Claim 25, wherein said transmitted data stream is removed from said transmission list.
31. (Currently Amended) The ~~server-executable~~ method of Claim 30, wherein said data stream removed from said transmission list is listed on a transmitted data stream list.
32. (Currently Amended) The ~~server-executable~~ method of Claim 24, wherein said step of transmitting one of said data streams further comprises transmitting said one of said data

streams selected by said selection method, said selection method taking into account sound recording performance restrictions in data stream selection.

33. (Cancelled)

34. (Cancelled)

35. (Currently Amended) A system ~~for selecting data streams for broadcast over a computer network to a user computer~~, comprising:

at least one server connected to a computer network, said computer network connected to an individual ~~the~~ user computer;

a database of media content data streams, said database available to said computer network;

a data stream controller coupled to said at least one server, said data stream controller

transmitting media content data streams to said individual user computer according to a selection program performed by ~~the~~ said at least one server to select data streams for broadcast over said computer network to said individual user computer;

said selection program used in selecting media content data streams for transmission to ~~the~~ said individual user computer via said data stream controller, said selection program receiving feedback via said computer network indicating a preference corresponding to at least one of the media content data streams from ~~the~~ said individual user, said selection program performed by said at least one server being influenced but not controlled by said individual user preferences, said selection program using said individual user preferences to bias selection of data streams to be experienced at ~~the~~ said individual user computer, taking into account individual user input identifying those data streams that to be excluded from being selected for transmission to ~~the~~ said individual user computer, and limiting ~~the~~ said individual user's control over selection of data streams from said database to prevent on-demand selection of a particular data stream by ~~the~~ said individual user.

36. (Previously Presented) The system of Claim 35, wherein said computer network comprises the Internet.

37. (Previously Presented) The system of Claim 35, wherein said database is a song database and the data streams are songs.
38. (Previously Presented) The system of Claim 35, wherein said database is a music video database and the data streams are music videos.
39. (Currently Amended) The system of Claim 35, wherein said media content data streams are to be experienced via user interface ~~comprises~~ an electronic media player.
40. (Cancelled)
41. (Currently Amended) The system of Claim 35, wherein said selection program creates a playlist of data streams for transmission to ~~the~~ said individual user.
42. (Currently Amended) The system of Claim 41, wherein said selection program modifies said playlist of data streams for transmission to ~~the~~ said individual user according to said individual user preferences.
43. (Previously Presented) The system as set forth in Claim 35, further comprising:
said data stream controller transmitting said data streams selected by said selection program, said selection program taking into account sound recording performance restrictions.
44. (Cancelled)
45. (Cancelled)
46. (Currently Amended) An apparatus ~~for use in an Internet data stream transmission system~~, comprising:
at least one server configured to provide:

a rating tool, said rating tool receiving individual user preferences indications regarding one or more a data streams played at an individual user computer by a media player, said individual user preferences comprising said individual user's ratings associated with indications indicating a rating for said one or more data streams; and

a playlist generator, said playlist generator generating playlists identifying data streams to be experienced by an individual user using said media player, said playlist generator selecting data streams for inclusion on said playlist according to said individual user preferences feedback received from said individual user, ~~said feedback including said rating~~, said playlist generator biasing selection in accordance with said ~~received feedback~~ individual user preferences, taking into account individual user input identifying those data streams that are to be excluded from being selected for transmission to ~~the~~ said individual user computer, and limiting ~~the~~ said individual user's control over data stream selection to prevent on-demand selection of a data stream by said individual user.

47. (Cancelled)

48. (Currently Amended) An apparatus of Claim 47 46, further comprising:
said playlist generator further selecting data streams in accordance with being in compliance with ~~applicable copyright law~~ sound recording performance restrictions.